1 2 3 UNITED STATES DISTRICT COURT 4 DISTRICT OF NEVADA 5 6 **MDL 1735** IN RE: WAL-MART WAGE AND HOUR 7 EMPLOYMENT PRACTICES Docket No. 2:06-CV-00225-PMP-PAL LITIGATION 8 (BASE FILE) 9 10 DATE: October 19, 2009 THIS DOCUMENT RELATES TO ALL 11 CASES EXCEPT KING v. WAL-MART STORES, INC., CASE 12 NO. 07-1486-WY 13 14 DECLARATION OF AMANDA J. MYETTE RELATING TO ADDITIONAL 15 ADMINISTRATIVE COSTS DURING APPEAL 16 17 18 I. Amanda J. Myette, declare as follows: I am a Project Manager for Rust Consulting, Inc. ("Rust Consulting"). My 19 business address is 625 Marquette Avenue, Suite 880, Minneapolis, Minnesota 55402-2469. My 20 telephone number is 612-359-2022. I am over twenty-one years of age and authorized to make 21 this declaration on behalf of Rust Consulting and myself. 22 Rust Consulting has extensive experience in class action matters, having provided 2. 23 services in class action lawsuits involving employment discrimination, employment wage and 24 hour, antitrust, securities fraud, property damage, product liability, insurance and consumer 25 issues. We have provided notification and/or claims administration services in more than 2,500 26 class action cases. Of these, more than 750 were labor & employment cases. 27 28

- 3. Rust Consulting was engaged by Counsel for the Class Representatives ("Plaintiffs") and Counsel for Wal-Mart Stores, Inc. ("Defendant") (collectively the "Parties") to provide settlement administration services in the *Wal-Mart Wage and Hour Employment Practices Litigation* Settlement ("Settlement"). Duties include: a) printing and mailing of the *Notice of Proposed Class Action Settlement* ("Class Notice"), and Claim Forms to Class Members; b) publication of class notice; c) receiving and reviewing the Claim Forms submitted by Class Members to determine eligibility for an Award as a Settlement Class Member; c) keeping track of opt-out and objecting Class Members; d) issuing and distributing the Awards to Settlement Class Members; e) providing assistance to Class Members by means of an 800 telephone number and a website; and f) such other tasks as the Parties mutually agree or the Court orders Rust Consulting to perform.
- 4. As Project Manager of the MDL 1735 Settlement Administration it is my duty to oversee and manage the claims administration process. I have been employed by Rust Consulting for 9 years and have managed over 75 class action settlements.
- 5. Rust Consulting was requested by Plaintiffs' Co Lead Counsel Robert Bonsignore to estimate the additional costs that may be incurred due to possible delays in the distribution of settlement proceeds. I have consulted others at Rust Consulting to determine our best estimate of these potential costs. We estimate that a delay of 9-24 months would cause approximately \$200,000 of additional administration costs, or approximately \$100,000 per year. These costs would include telephone support and minimal project management. This is an estimate and the actual costs of additional administration may vary depending upon the ultimate timetable and services provided.

I declare under penalty of perjury, under the laws of the State of Minnesota and the United States, that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day December 2009, in Minneapolis, Minnesota.

AMANDA J. MYETTE

DECLARATION OF AMANDA MYETTE NO. 2:06-cv-00225-pmp-pal